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OFFICE OF PETITIONS

In re Application of :
George Henry Dodd :
Application No. 09/509,695 :
Filed: September 20, 2000 :
Attorney Docket No. 186618 (8830-210) :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed November 9, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed April 2, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. An office communication was mailed November 5, 2002 indicating that a reply filed on August 9, 2002 was not fully responsive to the prior Office Action. Since the above mentioned reply appeared to be *bona fide*, petitioner was given a time period of one (1) month or thirty (30) days from the mailing date of the notice, whichever is longer, within to supply the omission or correction in order to avoid abandonment. Accordingly, the application became abandoned on December 6, 2002.

Petitioner is advised that as of October 1, 2004, the Petition fee for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b) is \$685.00 for a small entity. Petitioner remitted \$650.00 for the petition fee on September 12, 2003 and submitted the Petition on November 9, 2004. Accordingly, the fee deficiency of \$35 will be charged to petitioner's deposit account as authorized.

The Revocation of Power of Attorney has been accepted and recorded.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application matter is being referred to Technology Center 1600, Art Unit 1616 for further processing.

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy